FILE COPY

FILED
JUN 10 1929
CHARLES ELMORE CROPLEY
CLERK

IN THE

Supreme Court of the United States

October Term, 1928

No. [redacted], Original [redacted]

STATE OF NEW JERSEY,
Plaintiff,

against

THE CITY OF NEW YORK,
Defendant.

MOTION FOR LEAVE TO FILE ANSWER AND ANSWER.

ARTHUR J. W. HILLY,
Corporation Counsel,
Solicitor for the Defendant,
The City of New York.

In the Supreme Court of the United States

OCTOBER TERM—1928.

No. 21, Original.

STATE OF NEW JERSEY,

Plaintiff,

against

THE CITY OF NEW YORK,

Defendant.

Notice.

To:

Hon. WILLIAM A. STEVENS,
Attorney General of the State of New Jersey,

Hon. DUANE E. MINARD,
Assistant Attorney General of the State of New Jersey,

Solicitors for Plaintiff.

Sirs:

Pleased be advised that on Monday, June 10, 1929, the defendant, The City of New York, will apply to the Court for leave to file its answer herein, a copy of which is annexed hereto, and for the relief prayed for in the annexed motion.

Dated, June 8, 1929.

ARTHUR J. W. HILLY,
Corporation Counsel,
Solicitor for the Defendant,
The City of New York.

IN THE
SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM—1928.

No. 21, Original.

STATE OF NEW JERSEY,

Plaintiff,

against

THE CITY OF NEW YORK,

Defendant.

IN EQUITY.

Motion for Leave to File Answer.

Comes now The City of New York, by its Corporation Counsel and Solicitor, and ask leave of the Court that its answer, herewith submitted, to the bill of complaint herein, be received and filed.

Dated, June 8, 1929.

ARTHUR J. W. HILLY,
Corporation Counsel,
Solicitor for the Defendant.

IN THE
SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM—1928.

No. 21, Original.

STATE OF NEW JERSEY,

Plaintiff,

against

THE CITY OF NEW YORK,

Defendant.

Answer of the Defendant, The City of New York.

TO THE HONORABLE THE CHIEF JUSTICE OF THE UNITED STATES AND THE ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

Now, comes the defendant, The City of New York, by Arthur J. W. Hilly, its Corporation Counsel and its Solicitor herein and, reserving all manner of benefit by objection, exception or otherwise to the many defects, errors, insufficiencies, imperfections and discrepancies in the plaintiff's Bill of Complaint contained, for its answer to the said Bill of Complaint the defendant, The City of New York, respectfully shows to the Court and alleges as follows:

First—That is is without knowledge as to all and singular the allegations contained in that item or division of the Bill of Complaint which is designated "I.", except as to so much thereof as alleges or purports to

allege that the plaintiff is one of the States of the United States of America having its Capitol and seat of Government at the City of Trenton in the State of New Jersey, and except as to the allegations contained in that paragraph or section thereof which is numbered "2".

As to the item or division of the Bill of Complaint which is designated "III," the defendant, The City of New York, says:

Second—That it denies all and singular the allegations contained in those sections or paragraphs of the Bill of Complaint which are respectively numbered 12, 13, 14, 17, 18, 19, 20, 21, 22 and 23.

Third—That it is without knowledge as to all and singular the allegations contained in those sections or paragraphs of the Bill of Complaint which are respectively numbered 4, 5, 6, 7, 8, 9, 10, 15 and 16, and therefore denies the same.

Fourth—That it denies all and singular the allegations contained in the paragraph or section of the Bill of Complaint which is numbered 11 except as to so much thereof as alleges that the defendant, The City of New York has a population of more than 6,000,000 people which is continuously increasing.

Further answering and for a first defense, the defendant, The City of New York, further alleges:

Fifth—That the bill of complaint herein does not state facts sufficient to constitute a cause of action in equity, nor any matter of equity entitling the plaintiff to the relief prayed for or to any relief nor are the facts stated in the bill of complaint sufficient to entitle the plaintiff to any relief against the defendant.

Wherefore, the defendant, The City of New York, prays judgment that the Bill of Complaint herein be dismissed and that it be hence dismissed with its costs and disbursements in this cause sustained and for such other and further relief to this defendant as to the Court may seem meet and proper in the premises.

THE CITY OF NEW YORK,
By ARTHUR J. W. HILLY,
Corporation Counsel,
Solicitor for the Defendant.

J. JOSEPH LILLY,
Of Counsel.